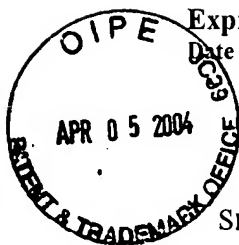


4-6-04



Express Mail Label No.: EV312718049US

Date of Deposit: April 5, 2004

Attorney Docket No. 20363-021

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Korsmeyer, et al.

SERIAL NUMBER: 10/658,028

EXAMINER: Not Yet Assigned

FILING DATE: September 9, 2003

ART UNIT: 1646

FOR: BH3 Peptides and Method of Use Thereof

Mail Stop Sequence
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified application are the following documents:

1. Response to Notice to Comply (1 pg.);
2. Copy of Notice to Comply (2 pgs.);
3. Sequence Listing (5 pgs.);
4. One Diskette;
5. Statement in Support of Computer Readable Form Submission (1 pg.); and
6. Return Postcard.

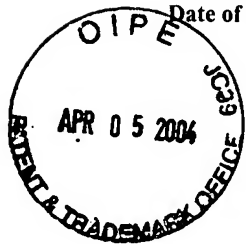
If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at 617-542-6000, Boston, Massachusetts.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 20363-021).

Respectfully submitted,

Date of Deposit: April 5, 2004

Ivor R. Elrifi, Reg. No. 39,529
Cynthia A. Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
Address all correspondence to
Customer No.: 30623
Tel: (617) 542-6000
Fax: (617) 542-2241



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES**

In response to the notice to comply with requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures, mailed March 5, 2004, in the above-identified application, Applicants submit a substitute paper copy, and a computer readable form of the Sequence Listing. Also enclosed are a Statement in Support of Computer Readable Form Submission, and a copy of the Notice to Comply. This response is due on or before April 5, 2004. Please charge any fees that may be due, or credit any overpayment to Deposit Account No. 50-0311, Reference No. 20363-021.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Ivor R. Elrifi".

Date of Deposit: April 5, 2004

Ivor R. Elrifi, Reg. No. 39,529
Cynthia A. Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
Address all correspondence to
Customer No.: 30623
Tel: (617) 542-6000
Fax: (617) 542-2241



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/658,028	09/09/2003	Stanley J. Korsmeyer	20363-021

CONFIRMATION NO. 4042

FORMALITIES LETTER



OC000000012037095

30623

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON, MA 02111

Date Mailed: 03/05/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES**

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- o A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "Thuyhan", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE